

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

EFRAIN ESCALANTE, )  
                        )  
Plaintiff,           )  
                        )  
v.                    )         Case No. CIV-17-694-D  
                        )  
LT. R. PRICE, et al., )  
                        )  
Defendants.          )

**ORDER**

Plaintiff, a state prisoner appearing pro se, brought this action pursuant to 42 U.S.C. § 1983, alleging violations of his federal constitutional rights. The matter was referred to United States Magistrate Judge Bernard M. Jones for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B), (C). Pursuant to 28 U.S.C. § 1915A, Judge Jones conducted an initial review of Plaintiff's Amended Complaint and issued a Report and Recommendation (R&R) [Doc. No. 14] in which he recommended that the complaint be dismissed without prejudice for failure to state a plausible claim upon which relief could be granted.

The R&R advised Plaintiff of his right to object and directed that any objection be filed by November 2, 2017. It further advised Plaintiff that the failure to make timely objection would result in waiver of the right to appeal the factual and legal issues addressed therein. The prescribed deadline for filing objections has passed, and to date, Plaintiff has neither filed an objection nor sought an extension

of time to do so. Accordingly, the R&R is accepted and adopted as though fully set forth herein.

**IT IS SO ORDERED** this 20<sup>th</sup> day of November 2017.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE